

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 4 and 5 are being presented as new formal drawing sheets to be substituted for the previously submitted drawing sheets. The drawing Figures 4 and 5 have been amended. Appended to this amendment are annotated copies of the previous drawing sheets which have been marked to show changes presented in the replacement sheets of the drawing.

The specific changes which have been made to Figure 4 is elements 400 and 404 have been removed. The specific changes which have been made to Figure 5 is element 500 has been removed.

REMARKS

Applicant thanks the Examiner for a thorough examination of the present application, but respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. At the time of the outstanding Office Action, claims 1-7 were pending. Of these claims, claim 1-7 have been amended and claims 8-16 have been added. In addition, pages 5-7 of the specification have been amended. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. Thus, claims 1-16 are now pending for examination in this application.

Drawings

In the outstanding Office Action, Figures 3-5 were objected to for failing to comply with 37 CFR 1.84(p)(5). In response to this objection, Applicant has amended the figures to fully comply with 37 CFR 1.84(p)(5). As such, Applicant respectfully requests withdrawal of the objection to Figures 3-5.

Specification

Various paragraphs in the specification were objected to for failing to comply with 37 CFR 1.84(p)(5). In response to this objection, Applicant has amended the specification to fully comply with 37 CFR 1.84(p)(5). As such, Applicant respectfully requests withdrawal of the objection to specification.

35 U.S.C. § 102(b)

Claims 1-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by WO 00/35205 to Garcia-Martin et al. ("Garcia"). Although Applicant does not necessarily agree with this rejection, in a good faith effort to advance prosecution, Applicant has amended claim 1-7 to more particularly describe aspects of the invention. In addition, Applicant has added claims 8-16 to

more particularly describe aspects of the invention. To the extent that Garcia may apply to the currently pending claims, Applicant respectfully disagrees for at least the reasons set forth below.

Garcia discusses a method of transmitting signaling information in a telecommunication network. (*See, e.g.*, Abstract and page 3, lines 33-35). More particularly, Garcia discusses transferring a message including a “destination signaling point identifier.” (*See, e.g.*, Abstract and page 3, lines 36-38). As discussed in Garcia, the “destination signaling point identifier” identifies “the signaling point at which the peer user/application part is located.” (*See*, page 3, lines 37-38; emphasis added). Thus, the point identifier in the message is associated with the signaling point of the destination terminal. Based on this “destination signaling point identifier,” an MTP level 3 determines a destination address suitable for conveying the signaling information to the destination signaling point. (*See*, page 4, lines 1-4). Accordingly, Garcia basically teaches determining a destination address for a message based on a point identifier associated the destination terminal.

In stark contrast, claim 1, as amended, recites in part:

receiving a message from an originating network element at an interface of a service application, wherein the service application interfaces with both a Signaling System 7 (SS7) network and an Internet Protocol (IP) network, and wherein the message includes a point code associated with the originating network element;

accessing a network selection table comprised within a MT3 API level of a protocol stack to determine how to process the message, wherein the protocol stack is used by the service application, and wherein the protocol stack comprises both a message transport part layer 3 (MTP3) layer and a MTP3 user adaptation layer (M3UA) layer;

processing the message with the MTP3 layer if it is determined that the point code associated with the originating network element corresponds to the SS7 network; and

processing the message with the M3UA layer if it is determined that the point code associated with the originating network element corresponds to the IP network. (Emphasis added).

Independent claim 5 recites similar claim elements as recited in claim 5. At a minimum, Applicant respectfully submits that Garcia does not teach or even suggest: (i) a service application which interfaces with **both** a Signaling System 7 (SS7) network and an Internet Protocol (IP) network; (ii) receiving a message which includes a point code associated with the **originating** network element; (iii) a table comprised within a **MT3 API level** of a protocol stack; (iv) a protocol stack comprising **both** a message transport part layer 3 (MTP3) layer and a MTP3 user adaptation layer (M3UA) layer; (v) processing the message with the MTP3 layer if it is determined that the point code associated with the **originating** network element corresponds to the SS7 network; and (vi) processing the message with the M3UA layer if it is determined that the point code associated with the **originating** network element corresponds to the IP network. Therefore, since Garcia is deficient with respect to a plurality of elements required by independent claim 1 and 5, Applicant respectfully submits that these claims are patentable over Garcia.

Conclusion

Because the reference cited by the Patent Office does not teach or suggest all of the features recited in independent claims 1 and 5, Applicant submits that independent claims 1 and 5 are patentable over the cited references. Furthermore, because dependent claims 2-4 and 6-16 are each directly or indirectly dependent upon independent claims 1 and 5, Applicant submits that each of these claims are allowable for at least the same reasons discussed above, in addition to their own reasons which Applicant reserves the right to argue at a later time if necessary.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner

is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

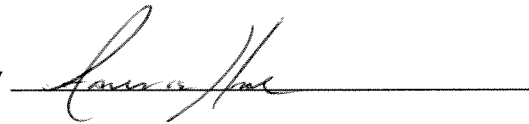
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

Date March 18, 2009

FOLEY & LARDNER LLP
Customer Number: 22879
Facsimile: (202) 672-5399

By



William T. Ellis
Attorney for Applicant
Registration No. 26,874

M. Aamir Haq
Agent for Applicant
Registration No. 61,092
Telephone: (202) 672-5493